

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Group Art Unit: 1742

Beals et al.

Examiner: Sikyin Ip

SEP 02 2004

Serial No.: 10/765,258

Filed: January 26, 2004

For: Creep Resistant Magnesium Alloy

Docket No.: 706501US2

RESUBMITTED INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.5, the references listed and identified on the attached Form PTO/1449 are being submitted herewith for consideration by the Examiner. This Statement is being filed in accordance with 37 C.F.R. § 1.97(c), i.e., before the close of prosecution.

While this Statement is being filed in compliance with the duty of disclosure, citation of the attached references is not to be construed as an admission that any of the references are "material" as defined under 37 C.F.R. § 1.56(b).

A copy of each reference listed on the attached Form PTO/1449 is included herewith. Consideration and entry into the record of these references is respectfully requested. Applicants request that the fee of \$180.00 due under 37 C.F.R. 1.17(p) be charged to Deposit Account No. 03-1800. A fee sheet is enclosed.

Dated: September 2, 2004

By: 

Gordon K. Harris, Jr., Reg. No. 28,615
HARNES, DICKEY
P.O. Box 828
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(248) 641-1600

Attorney for Applicants

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PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

Complete if Known

Application Number 10/765,258

Filing Date January 26, 2004

First Named Inventor Beals

Examiner Name Silkyln Ip

Group / Art Unit 1742

Attorney Docket No. 706501US2

TOTAL AMOUNT OF PAYMENT (\$) 180

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:		3. ADDITIONAL FEES	
Deposit Account Number	03-1800	Fee Code	Fee Description
Deposit Account Name	DaimlerChrysler Intellectual Capital Corporation	105	Surcharge - late filing fee or oath
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17		127	Surcharge - late provisional filing fee or cover sheet
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		139	Non-English specification
2. <input type="checkbox"/> Payment Enclosed:		147	For filing a request for reexamination
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		112	Requesting publication of SIR prior to Examiner action
FEE CALCULATION		113	Requesting publication of SIR after Examiner action
1. BASIC FILING FEE		115	Extension for reply within first month
Large Entity Fee Code	Small Entity Fee Code	116	Extension for reply within second month
101	201	117	Extension for reply within third month
106	206	118	Extension for reply within fourth month
107	207	128	Extension for reply within fifth month
108	208	119	Notice of Appeal
114	214	120	Filing a brief in support of an appeal
SUBTOTAL (1) (\$0)		121	Request for oral hearing
2. EXTRA CLAIM FEES		138	Petition to institute a public use proceeding
Total Claims	Extra Claims	140	Petition to revive - unavoidable
Independent Claims	Fee from below	141	Petition to revive - unintentional
Multiple Dependent	Fee Paid	142	Utility issue fee (or reissue)
Large Entity Fee Code	Small Entity Fee Code	143	Design issue fee
103	203	144	Plant issue fee
102	202	122	Petitions to the Commissioner
104	204	123	Petitions related to provisional applications
109	209	125	Submission of Information Disclosure Sheet
110	210	581	Recording each patent assignment per property (times number of properties)
SUBTOTAL (2) (\$0)		146	Filing a submission after final rejection (37 CFR § 1.128(a))
*or number previously paid, if greater; For Reissues, see above		149	For each additional invention to be examined (37 CFR § 1.129(b))
		179	Request for Continued Examination (RCE)
		169	Request for expedited examination of a design application
		Other fee (specify) _____	
		*Reduced by Basic Filing Fee Paid	
		SUBTOTAL (3) (\$180)	

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Gordon K. Harris, Jr.

Registration No. Attorney/Agent

28,815

Telephone

248-641-1600

Signature

Date

September 2, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0851-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL
for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	10/765,258
Filing Date	January 28, 2004
First Named Inventor	Beals
Examiner Name	Sikeyn Ip
Group / Art Unit	1742
Attorney Docket No.	708501US2

TOTAL AMOUNT OF PAYMENT. (\$) 180

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:		3. ADDITIONAL FEES	
Deposit Account Number	03-1800	Fee Code	Fee (\$)
Deposit Account Name	DaimlerChrysler Intellectual Capital Corporation	105	130
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17		127	50
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		205	65
2. <input type="checkbox"/> Payment Enclosed:		227	25
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		139	130
		147	2,520
		112	920*
		113	1,940*
		115	110
		116	390
		117	890
		118	1,390
		128	1,890
		119	310
		120	310
		121	270
		138	1,510
		140	110
		141	1,240
		142	1,240
		143	440
		144	600
		122	130
		123	130
		128	180
		581	40
		146	710
		149	710
		179	710
		169	900
		Other fee (specify) _____	
		*Reduced by Basic Filing Fee Paid	
		SUBTOTAL (3) (\$ 180)	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Gordon K. Harris, Jr.	Registration No. Attorney/Agent	28,815
Signature	<i>Gordon K. Harris, Jr.</i>	Telephone	248-641-1600
		Date	September 2, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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SEP 02 2004

FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 1 of 1	ATTORNEY DOCKET NO.	SERIAL NO.
	706501US2	10/765,258
	APPLICANT	
	RANDY S. BEALS	
	FILING DATE	GROUP
	January 28, 2004	1742

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(if appropriate) Filing Date
1.						

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
1.							

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Ref. Desig.	Examiner's Initials	
1.		October 2002: Temperature Behaviour of AJ52X, heat resistant magnesium Alloy for power-train Application; Pierre Labelle, Mihriban Pekgulyuz, D. Argo, M. Lefebvre, R. Bouchard, P. Vermette; Noranda Inc-Technology Centre; Montreal, Quebec, Canada

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.